

Notice of Allowability

Application No.

10/774,191

Examiner

Ghassem Alie

Applicant(s)

HAMILTON ET AL.

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/11/05.
2. ☒ The allowed claim(s) is/are 21-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892) .
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 02/03/06 .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a communication with David J. Mair (Reg. No. 32,915) on 02/03/06.

The application has been amended as follows:

In the claim:

Claims 30 and 31 have been cancelled.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The claims are allowable because prior art fails to teach that the rotary die plate is made of solidified resin having a plurality of magnetic elements disposed within the resin. The prior art die also fails to teach that the inner surface of the rotary cutting die is magnetically attracted to the metal cylinder such that the inner surface of the rotary cutting die is contactably mounted on the metal cylinder as set forth in claim 21 and 25.

Regarding claims 21 and 25, Leanna (4,831,930) teaches a rotary cutting die mountable on a metal cylinder. Leanna also teaches the rotary die plate has an inner surface and an outer surface and the inner surface is magnetically attractable and magnetically mountable on metal cylinder. Leanna also teaches a cutting blade mounted on the outer surface of rotary die plate. Leanna also teaches that rotary die plate is configured such that

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the rotary cutting die is mountable on the metal cylinder. Leanna also teaches that rotary die plate is formed of a solidified resin having a plurality of magnetic elements. Leanna fails to teach that the rotary die plate is made of solidified resin having a plurality of magnetic elements disposed within the resin. Leanna also fails to teach that the inner surface of the rotary cutting die is magnetically attracted to the metal cylinder such that the inner surface of the rotary cutting die is contactably mounted on the metal cylinder as set forth in claim 21 and 25.

Fukuyama (3,897,2921) teaches a printer plate is attached to a magnetic saddle that contactably is mountable on a metal cylinder. Fukuyama also teaches that the magnetic saddle is formed of a solidified resin and a plurality of magnetic elements disposed within the resin. Fukuyama does not teach that magnetic saddle is contactably mountable on a metal cylinder without having to use mechanical holding devices including screws and clamps.

In addition, Leanna's metal cylinder and the die plate is not combinable with the magnetic saddle of a printer plate and the metal cylinder as taught by Fukuyama. Because, Fukuyama is non-analogous reference with respect to Leanna. Furthermore, Leanna's die plate is structurally very different than Fukuyama's magnetic saddle and it would have not been obvious to a person of ordinary skill in the art to combine these two different structures together without hindsight from applicant's disclosure.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 21 and 25.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is (703) 873-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).



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